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Notice of Allowability	Application No.	Applicant(s)	
	10/633,442	BRIGHAM, SCOTT C.	
	Examiner	Art Unit	
	Victor K. Hwang	3764	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the application as filed August 4, 2003.
2. ☒ The allowed claim(s) is/are 1-6 and 8-10.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>20060318</u> . |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>Aug. 4, 2003</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Sean A. Kaufhold on March 20, 2006.

2. The application has been amended as follows:

In the Claims:

- A) Amend claim 1 as follows:

1. (Currently Amended) A punching bag and exercise mat combination device comprising:

a base having a bottom wall, a top wall and a peripheral wall extending between and being attached to said bottom and top walls such that a substantially watertight interior of said base is defined, said base having an inlet conduit extending into said interior, a peripheral lip being attached to and extending upwardly from a juncture of said peripheral wall and said top wall;

a central member being selectively positionable on said top wall and extending upwardly therefrom, said peripheral lip extending around a lower portion

of said central member such that said central member is supported in vertical orientation;

a panel having a first end edge, a second end edge, an upper edge and a lower edge, said panel comprising a cushioning material, said panel having a size and shape such that said panel may be extended around said central member such that said first and second end edges are positioned adjacent to each other;

a fastening assembly being attached to said panel for releasably fastening said first end edge to said second end edge;

a securing assembly being attached to said panel and said peripheral lip for releasably securing said panel to an upper edge of said peripheral lip; and

wherein said interior of said base may be selectively filled with a liquid.

B) Cancel claim 7.

C) Add new claim 10:

10. (New) A punching bag and exercise mat combination device comprising:

a base having a bottom wall, a top wall and a peripheral wall extending between and being attached to said bottom and top walls such that a substantially watertight interior of said base is defined, said base having an inlet conduit extending into said interior, a peripheral lip being attached to and extending upwardly from a juncture of said peripheral wall and said top wall;

a central member being selectively positionable on said top wall and extending upwardly therefrom, said peripheral lip extending around a lower portion of said central member such that said central member is supported in vertical orientation, said central member includes a lower wall, an upper wall and a perimeter wall extending between and being attached to said lower wall and said upper wall, said perimeter wall having a plurality of wells extending therein;

a plurality of punching targets each including a rod attached thereto, each of said rods being selectively extendable into one of said wells;

a panel having a first end edge, a second end edge, an upper edge and a lower edge, said panel comprising a cushioning material, said panel having a size and shape such that said panel may be extended around said central member such that said first and second end edges are positioned adjacent to each other;

a fastening assembly being attached to said panel for releasably fastening said first end edge to said second end edge; and

wherein said interior of said base may be selectively filled with a liquid.

3. The following is an examiner's statement of reasons for allowance: the prior art of record does not disclose or make obvious a punching bag and exercise mat combination comprising a panel of cushioning material has first and second edges that are positioned adjacent to each other and releasably fastened by a fastening assembly, and the panel being sized and shaped to fit

around a central member selectively positioned in a vertical orientation on the top wall of a liquid fillable base having a peripheral lip, wherein the panel releasably secured to an upper edge of the peripheral lip (claim 1 and 9); or wherein the central member has a plurality of wells extending into a perimeter wall for selectively receiving a rod attached to a target (claims 9 and 10).

Several of the prior art disclose a base as claimed with a central member supported in a vertical orientation, but none disclose a panel of cushioning material having releasable first and second edges, and being releasably secured to the upper edge of a peripheral lip of the base.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

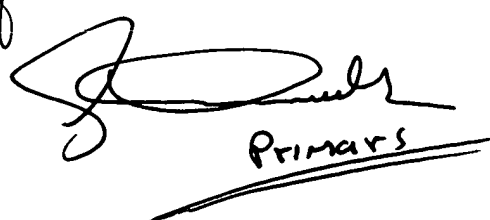
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor K. Hwang whose telephone number is (571) 272-4976. The examiner can normally be reached Monday through Friday from 7:30 AM to 4:00 PM Eastern time.

The facsimile number for submitting papers directly to the examiner for informal correspondence is (571) 273-4976. The facsimile number for submitting all formal correspondence is (571) 273-8300.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory L. Huson can be reached on (571) 272-4887.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Victor K. Hwang
March 20, 2006



Primars